United Nations A/C.3/67/L.44

General Assembly

Distr.: Limited
9 November 2012

Original: English

Sixty-seventh session
Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Mozambique, Netherlands, New Zealand, Norway, Palau, Panama, Philippines, Poland, Portugal, Republic of Moldova, Romania, Samoa, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay and Vanuatu: draft resolution

Moratorium on the use of the death penalty

The General Assembly,

Guided by the purposes and principles contained in the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,[1] the International Covenant on Civil and Political Rights[2] and the Convention on the Rights of the Child,[3]

Recalling that capital punishment shall not be imposed for offences committed by persons below eighteen years of age,

Reaffirming its resolutions 62/149 of 18 December 2007, 63/168 of 18 December 2008 and 65/206 of 21 December 2010 on the question of a moratorium

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] United Nations, *Treaty Series*, vol. 1577, No. 27531.

12-58421 (E) 131112

Please recycle

on the use of the death penalty, in which the General Assembly called upon States that still maintain the death penalty to establish a moratorium on executions with a view to abolishing it,

Welcoming Human Rights Council decision 18/117 of 28 September 2011,[4]

Mindful that any miscarriage or failure of justice in the implementation of the death penalty is irreversible and irreparable,

Convinced that a moratorium on the use of the death penalty contributes to respect for human dignity and to the enhancement and progressive development of human rights, and considering that there is no conclusive evidence of the deterrent value of the death penalty,

Noting ongoing local and national debates and regional initiatives on the death penalty, as well as the readiness of an increasing number of Member States to make available to the public information on the use of the death penalty,

Noting also the technical cooperation among Member States in relation to moratoriums on the death penalty,

1. *Expresses its deep concern* about the continued application of the death penalty;

2. *Welcomes* the report of the Secretary-General on the implementation of resolution 65/206[5] and the recommendations contained therein;

3. *Also welcomes* the steps taken by some Member States to reduce the number of offences for which the death penalty may be imposed and the decisions made by an increasing number of States, at all levels of Government, to apply a moratorium on executions, followed in many cases by the abolition of the death penalty;

4. *Calls upon* all States:

(a) To respect international standards that provide safeguards guaranteeing protection of the rights of those facing the death penalty, in particular the minimum standards, as set out in the annex to Economic and Social Council resolution 1984/50 of 25 May 1984, as well as to provide the Secretary-General with information in this regard;

(b) To make available relevant information with regard to their use of the death penalty, inter alia, the number of persons sentenced to death, the number of persons on death row and the number of executions carried out, which can contribute to possible informed and transparent national and international debates, including on the obligations of States pertaining to the use of the death penalty;

(c) To progressively restrict the use of the death penalty and not to impose capital punishment for offences committed by persons below eighteen years of age, pregnant women and persons with mental disabilities;

(d) To reduce the number of offences for which the death penalty may be imposed and to consider repealing its mandatory imposition;

---

[4] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53A* and corrigendum (A/66/53/Add.1 and Corr.1) chap. III.

[5] A/65/280 and Corr.1.

(e) To establish a moratorium on executions with a view to abolishing the death penalty;

5. *Calls upon* States which have abolished the death penalty not to reintroduce it, and encourages them to share their experience in this regard;

6. *Also calls upon* States that have not yet done so to consider acceding to or ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;[6]

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-ninth session on the implementation of the present resolution;

8. *Decides* to continue consideration of the matter at its sixty-ninth session under the item entitled "Promotion and protection of human rights".

---

[6] United Nations, *Treaty Series*, vol. 1642, No. 14668.